

REMARKS/ARGUMENTS

Claims 1, 6, 9, 11, 15, 19 and 22 have been amended. Claims 1-13 and 15-25 are pending in this application.

Claims 1-5 and 11-13 were rejected under 35 U.S.C. § 112, first paragraph ("Section 112"), for failing to comply with the written description requirement and containing new matter. Independent claim 1 has been amended to recite "the scan period being longer than said predetermined frame period" and a "beacon scan means for setting a beacon scan period" (See specification, for example, at pg. 16, ln. 18-25, pg. 20, ln. 15-19 and pg. 27, ln. 15-21 and FIGs. 3-4). In addition, independent claim 11 has been amended to recite that the managing means is "for managing a timing of receiving a beacon signal of another wireless communication apparatus in the neighborhood," and a "scan processing means for performing continuous reception and receiving a beacon signal of another wireless communication apparatus in the neighborhood" (See specification, for example, at pg. 20, ln. 15-19, pg. 20, ln. 25-pg. 21, ln. 2, pg. 21, ln. 20-23 and pg. 23, ln. 11-18 and FIGs. 3-4). Accordingly, based on the amendments to independent claims 1 and 11, the Section 112 rejections of claims 1 and 11, claims 2-4 and 12-13 which depend respectively from claims 1 and 11, have been overcome and should be withdrawn.

Claims 1-5 and 11-13 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0159544 ("Karaoguz") in view of U.S. Patent Publication No. 2006/0044436 ("Watanabe") and U.S. Patent No. 7,340,612 ("Durand"). Claims 6, 9-10, 15-18 and 19-25 were rejected under 35 U.S.C § 103(a) as being unpatentable over Karaoguz in view of Watanabe. Claims 7-8 were rejected under 35 U.S.C § 103(a) as being unpatentable over Karaoguz in view of Watanabe and of well

known prior art (MPEP 2144.0).

Amended independent claim 1 recites, in relevant part, the following:

scan period setting means for setting a scan period, the scan period being longer than said predetermined frame period;

beacon scan means for setting a beacon scan period over a time of the predetermined frame period other than when a beacon signal is transmitted by the wireless communication apparatus

(Emphasis added). Accordingly, referring to FIGs. 3A-3E, a wireless communication apparatus of claim 1 may include a beacon scan means to set a beacon scan period during which a scan operation (SCNO) is performed, where the beacon scan period is over a time of a predetermined frame period (FLMP) for the wireless communication apparatus other than when a beacon signal is transmitted by the wireless communication apparatus, and where a scan period (SCNP) for the apparatus is longer than the predetermined frame period. (See specification, for example, at pg. 16, ln. 1-23).

The Examiner admitted that Karaoguz does not disclose a scan period setting means for setting a scan period longer than a predetermined frame period, as required by claim 1. In addition, the applied portions of Karaoguz do not appear to disclose or suggest a beacon scan means for setting a beacon scan period, and that the beacon scan period is over a time of the predetermined frame period for the wireless communication apparatus other than when a beacon signal is transmitted by the wireless communication apparatus, as required by claim 1.

The applied portions of Watanabe and Durand do not cure the deficiencies of Karaoguz with respect to the requirements of claim 1, as described above. Although the applied portions of

Watanabe appear to describe a horizontal scan period for scanning a row of pixels during an image frame period, Watanabe does not appear to disclose or suggest setting, in a wireless communication apparatus, a beacon scan period, in which to receive a beacon signal from a surrounding wireless communication apparatus, over a time of a predetermined frame period "other than when a beacon signal is transmitted by the wireless communication apparatus," as required by claim 1. Further, the portions of Durand relied upon by the Examiner, which appear merely to describe looking for a beacon, do not disclose or suggest the beacon scan means as recited in claim 1.

Accordingly, it is respectfully submitted that claim 1 is distinguishable from the applied combination of Karaguz, Watanabe and Durand.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claim 11, which includes limitations corresponding to those of claim 1 discussed above, are distinguishable from the combination of Karaguz, Watanabe and Durand as applied by the Examiner.

Claims 2-5 and 12-13 depend from independent claims 1 and 11, respectively. Accordingly, it is also respectfully submitted that dependent claims 2-5 and 12-13 are distinguishable from the combination of Karaguz, Watanabe and Durand as applied by the Examiner for at least the reasons previously described for claim 1, and because of the additional restrictions they require.

Further, for reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 6, 15, 19 and 22, which include limitations corresponding to those of claim 1 discussed above,

are distinguishable from the combination of Karaguz and Watanabe as applied by the Examiner. In addition, claims 7-10, 16-18, 20-21 and 23-25, which depend from one of independent claims 6, 15, 19 and 22, are distinguishable from the combination of Karaguz and Watanabe and Durand as applied by the Examiner for at least the reasons previously described for claim 1, and because of the additional restrictions they require.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 26, 2009

Respectfully submitted,

By 

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